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BY ECF

August 23, 2012

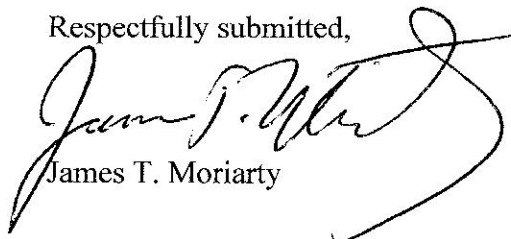
Honorable Sandra L. Townes
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jonathan Braun
10 CR 433 (SLT)

Dear Judge Townes,

I write to advise the Court that I am enclosing a proposed new Order concerning my pending motion for substitution of property on the bond for the defendant herein. The new proposed Order reflects the fact that the Confession of Judgment by Mr. Striecher has been executed and filed with the Office of the County Clerk, Kings County. A copy of said filing is attached herein.

Respectfully submitted,



James T. Moriarty

AUSA Steven Tiscione

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Case No. 10 Cr 433

V.

ORDER

JONATHAN BRAUN

Defendant

X

1. Whereas, the defendant Jonathan Braun is charged in an Indictment No. 10 Cr. 433 which is currently pending before this Court charging a violation of 18 U.S.C. 952 (a), 960 (a)(1) and related counts and;
2. Whereas, on or about Nov. 10, 2011 defendant was released from custody pursuant to an Order Setting Conditions of Release and Bond ["The Bond"] dated Nov. 10, 2011 which was issued by Magistrate Judge Victor Pohorelsky and approved by this Court, and
3. Whereas, the bond amount is Eight Million (\$8,000,000) Dollars and said amount being secured by various properties against which liens have been filed in order to secure said properties to the benefit of the United States of America, and
4. Whereas, one of those properties is located at 239 Prospect Place, Brooklyn, New York, 11238 and is owned by Joseph Streicher who is also a co-signer [No. 10] on the Bond and,

5. Whereas, Joseph Streicher wishes to withdraw said property as security for the Bond and,
6. Whereas, Joseph Streicher wishes to substitute an additional property which is located at 1865 53rd St. Brooklyn, N.Y. 11204 which is his residence as security for the bond and;
7. Whereas, said property presently has an equitable value of approximately One Million Five Hundred Thousand [\$1,500,000] Dollars and;
8. Whereas, Joseph Streicher has executed a Confession of Judgment in an amount of Eight Million [\$8,000,000] Dollars running in favor of the United States of America as against said property which judgment becoming operable when and if defendant shall fail to appear before the Court for any required appearance and;
9. Whereas said Confession of Judgment was filed on August 16, 2012 in the Office of the County Clerk, Brooklyn, New York and a copy of same is attached to this Order and;
10. Whereas this Court has previously required as a condition of the execution of this Order the filing of affidavits by all co-signatories to the bond stating their consent to said property substitution and;
11. Whereas pursuant to said direction of the Court a filing of all said affidavits having being filed with this Court on August 15, 2012 and;
12. Whereas the Office of the United States Attorney has agreed to the substitution of properties as described herein it is hereby,

13. ORDERED that the property located at 239 Prospect Place Brooklyn, New York 11238 be released as security for the Bond and that all liens whether in the form of a confession of judgment or mortgage or otherwise and which are presently lodged against said property and running in favor of the United States be and hereby are deemed as satisfied such that no lien running in favor of the United States shall remain as against said property, and it is hereby
14. ORDERED that the property located at 1865 53rd St., Brooklyn, New York 11204 be substituted as security for said bond.

Hon. Sandra L. Townes, U.S.D.J.

SUPREME COURT
COUNTY OF KINGS

Index No.

UNITED STATES OF AMERICA

~~JOSEF~~
~~JOSEF~~
JOSEPH

against

Plaintiff(s)

AFFIDAVIT OF
CONFESSION OF
JUDGMENT

Defendant(s)

STATE OF NEW YORK, COUNTY OF KINGS

JOSEF STREICHER

being duly sworn

JOSEF STREICHER says, that defendant is

~~JOSEF~~

P

of 1865 53rd St

11204

a
defendant herein.

corporation and is duly authorized to make this

on behalf of the corporate

The defendant hereby confesses judgment herein and authorizes entry
sum of \$ 8,000,000 ~~eight million dollars~~

against defendant in the

Defendant resides at 1865 53rd Street Brooklyn, 11204
in the County of Kings State of New York
of judgment in

Defendant authorizes entry

County, New York, if said residence

is not in New York State.

This confession of judgment is for a debt justly * to become
the following facts:

the plaintiff arising from

If and when the United States District Court, Southern District of New York shall issue an order forfeiting the bond and the properties securing said bond in the case of America v. Jonathan Braun case no.10 cr 433 (SLT)

the Eastern
a bond and
States of2012 AUG 16 PM 4:06
FILED
KINGS COUNTY CLERK

This affidavit, if made in connection with an agreement for the purchase of \$1,500.00 or less of any commodities for any use other than a commercial or business use upon any plan or deferred payments whereby the price or cost is payable in two or more installments, was executed subsequent to the time a default occurred in the payment of an installment thereunder.

Sworn to before me this 16th
day of August, 2012KRISTA WERNES
Notary Public, State of New YorkNo. 04WE6219517
Qualified in Kings County
Commission Expires March 29, 2014

JOSEPH STREICHER

† Strike out matter in parenthesis if defendant is individual.

* Insert words "to become" if debt is not yet due.

** If in a city court, insert name of court, DCCA 81403.

Index No.

Address of Plaintiff:

UNITED STATES OF AMERICA
JOSEPH STREICHE

Plaintiff(s)

Defendant(s)

US District Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

JUDGMENT BY
CONFESSION

Amount Confessed - - - - - \$
Interest - - - - -

Costs by Statute - - - - - ~~200.00~~
Transcript - - - - - 15.00
Fees on Execution - - - - -
Satisfaction - - - - - 35.00
Filing Fee - - - - - 210.00
Total 225.00 \$

STATE OF NEW YORK COUNTY OF KINGS

ATTORNEY'S AFFIRMATION

The undersigned, *[Signature]* Attorney at Law of the State of New York, affirms that he is

attorney(s) of record for *[Signature]* herein and states that the disbursements above specified are correct and true and have been paid or incurred herein and are reasonable in amount and affirms this statement to be true. Penalties of perjury.

Dated: 8/16/2012

Print Name Beneath Signature

[Signature] day of August 2012

JUDGMENT entered On filing the foregoing day of the NOW, ON MOTION of the attorney(s) for plaintiff ADJUDGED that the United States Attorney Eastern District of New York United States of America

residing at U.S. District Courthouse 225 Cadman Plaza East, Brooklyn N.Y. 11201 do recover of Joseph Streiche plaintiff
residing at 1865 5th Avenue Brooklyn N.Y. 11204 defendant
the sum of \$ 8,000 making a total of \$ 8,000.000.00
together with \$ 225.00 costs and disbursements, amounting in all to the sum of \$ 8,000,225.00
and that the plaintiff pay therefor.

[Signature] Clerk

Index No.

SUPREME COURT
COUNTY OF KINGS

UNITED STATES OF AMERICA

Defendant(s)

JONATHAN BRAUN

Affidavit and
Judgment by Confession

UNITED STATES ATTORNEY
EASTERN DISTRICT OF
NEW YORK

Attorney(s) for Plaintiff
Office and Post Office Address

UNITED STATES ATTORNEY
271 CADMAN PLAZA EAST
BROOKLYN, NEW YORK 11201

(718) 254-7000